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ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Situation of human rights in Cambodia

Report of the Special Representative of the Secretary-General for human rights in Cambodia, Mr. Michael Kirby, submitted in accordance with Commission resolution 1994/61

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Introduction

1. The Centre for Human Rights was first mandated to establish on operational presence in Cambodia in February 1993 by resolution 1993/6 of the Commission on Human Rights, which was subsequently endorsed by the Economic and Social Council in July 1993 in resolution 1993/254 and by the General Assembly in resolution 48/154. Under those resolutions, an operational presence of the Centre for Human Rights in Cambodia was mandated:

(a) To manage the implementation of educational and technical assistance and advisory services programmes, and to ensure their continuation;

(b) To assist the Government of Cambodia established after the election, at its request, in meeting its obligations under the human rights instruments recently adhered to, including the preparation of reports to the relevant monitoring committees;

(c) To provide support to bona fide human rights groups in Cambodia;

(d) To contribute to the creation and/or strengthening of national institutions for the promotion and protection of human rights;

(e) To continue to assist with the drafting and implementation of legislation to promote and protect human rights;

(f) To continue to assist with the training of persons responsible for the administration of justice.

2. By the same resolutions, the Secretary-General was further called upon to assure the protection of the human rights of all people in Cambodia. Pursuant to Commission on Human Rights resolution 1993/6, Mr. Michael Kirby (Australia) was appointed on 23 November 1993 by the Secretary-General as his Special Representative for human rights in Cambodia, with the following mandate:

(a) To maintain contact with the Government and people of Cambodia;

(b) To guide and coordinate the United Nations human rights presence in Cambodia; and,

(c) To assist the Government in the promotion and protection of human rights.

3. The Special Representative reported to the Commission on Human Rights at its fiftieth session (E/CN.4/1994/73 and Add.1). The Commission subsequently adopted resolution 1994/61 approved by the Council in resolution 1994/259, in which it requested the Secretary-General to renew the mandate of the Special Representative and approved inter alia, the recommendations and conclusions of the Special Representative, in particular the priority areas requiring urgent action, namely the devotion of proper resources to hospitals, schools, courts and for the defence of cultural treasures, especially Angkor Wat; the support of the National Assembly Commission for the Protection of Human Rights and Reception of Complaints, including financial assistance for a proper secretariat, equipment and training; the enactment of laws and related

activities in specially urgent areas; the implementation of training programmes aimed at the promotion and protection of civil rights; the ensuring of true independence of the judiciary; particular attention to women and vulnerable groups. The Commission also expressed its grave concern at the indiscriminate use of land mines.

4. The Secretary-General submitted a report to the General Assembly containing the recommendations of the Special Representative and the role of the United Nations Centre for Human Rights in assisting the Government and people of Cambodia in the promotion and protection of human rights (A/49/635 and Add.1).

5. The present report is submitted in accordance with the decision by the Commission on Human Rights in its resolution 1994/61 (paras. 13 and 14) to review at its fifty-first session the respective programmes and mandates set out in its resolution 1993/6 and with its request to the Special Representative to report to the Commission at its fifty-first session.

I. ACTIVITIES OF THE UNITED NATIONS CENTRE FOR HUMAN RIGHTS IN CAMBODIA

A. Trust Fund for a Human Rights Education Programme in Cambodia

6. At the time of the preparation of the present report, US$ 923,697 had been received in the Trust Fund and US$ 250,000 had been pledged. Details of the activities concerning the Trust Fund can be found in the report of the Secretary-General (A/49/635/Add.1, paras. 3-9 and annex I).

B. Activities implemented in the period July 1994-November 1994

7. The activities implemented in Cambodia by the Centre for Human Rights in the period from February to July 1994 are mentioned in the report of the Secretary-General (A/49/635/Add.1, paras. 10-58), for the activities from October 1993 to January 1994, see E/CN.4/1994/73/Add.1, paragraphs 252-271. The activities implemented from July to November 1994 are described below. They are grouped according to the components of the programme of advisory services and technical assistance of the Centre for Human Rights.

8. A senior officer who has served with the Centre for Human Rights in Geneva for many years was appointed as Director of the Cambodia Office in July 1994 and assumed his functions on 23 September.

1. Legislative reform assistance

9. Through its office in Cambodia, the Centre for Human Rights has carried out the following activities in favour of the creation of a legal and institutional framework consistent with international human rights norms and for securing the promotion and protection of human rights and democracy.

10. Assistance has been provided to the National Assembly in general and to its various commissions, including the Commission on the Protection of Human Rights and Reception of Complaints, as well as to various concerned ministries, in the drafting and implementation of the following laws, including by the provision of comments.

11. Immigration Law. The Immigration Law was adopted by the National Assembly between 22 and 26 August 1994. The Centre for Human Rights had, at the request of the Royal Government and certain Commissions of the National Assembly, provided detailed and extensive comments on and suggested amendments to the draft law. The Centre for Human Rights also organized and/or participated in several meetings with local and international non-governmental organizations and concerned United Nations agencies such as the Office of the United Nations High Commissioner for Refugees (UNHCR). It was invited for official hearings on the draft law by the Commission on Interior and National Defence of the National Assembly. The Centre for Human Rights also participated in a public forum on the draft law with the acting Chair of the National Assembly, the UNHCR Chargé de Mission and a non-governmental organization. The Law, as adopted, reflects an attempt by the members of the National Assembly to comply with Cambodia's international human rights obligations. However, most of the changes suggested by the Centre for Human Rights as well as by UNHCR and local human rights organizations have not been included. The Co-Ministers of Interior have, however, given assurances during the debate in the National Assembly that the law would be implemented in a manner that is consistent with international human rights norms. The Co-Prime Ministers and other ministers and concerned officials had further given public assurances that this would be the case. The Centre for Human Rights has been approached recently by concerned officials at the Ministry of Interior for assistance in drafting subsidiary legislation under the Immigration Law. The Centre for Human Rights also continues to monitor the policies and practices relating to the ethnic minorities, including Vietnamese, and, where necessary, has communicated its concerns to the Government.

12. Nationality law. The lack of a nationality law has been noted in the comments offered by the Centre for Human Rights to the Government on the Immigration Law and has given rise to concerns within and outside Cambodia about the possibility of abuse in the implementation of the Immigration Law. Several meetings have been held between the Centre for Human Rights and concerned officials of the Ministry of Interior and the Council of Ministers on the issue of a nationality law. The passage of such a law is one of the recommendations made by the Special Representative in his reports to the Commission on Human Rights and to the General Assembly and has been agreed to by the Co-Ministers of Interior. The first draft of the nationality law has now been prepared by the Ministry of Interior and the Centre for Human Rights has been invited to assist in the revision of the draft to ensure conformity with the Constitution and international human rights norms. Such assistance is being provided in the form of comments and suggested amendments.

13. Press law. A draft press law was adopted by the Council of Ministers on 4 November 1994 and forwarded to the National Assembly on 28 November 1994. The draft contains many positive elements which had earlier been commented upon favourably by the Centre for Human Rights such as confidentiality of sources, prohibition of pre-publication censorship, privileges for publication

of public records and other materials, freedom of information, establishment of more than one press association, code of ethics for the press, prohibition of incitement, prevention of monopoly, right of individuals to confidentiality in legal proceedings, etc. The Centre for Human Rights had reviewed the draft in July 1994 and given its comments. The Government had accepted all of the Centre's concerns and the draft had been suitably amended. However, the draft that came out of the Council of Ministers on 4 November 1994 contains severe criminal penalties for defamation, allows suspension of publication by the Government, uses vague and undefined words on which criminal and civil penalties are based and removes appeal provisions. The Special Representative has written to the Government expressing his concerns about the draft law. Numerous discussions have been held with members of the Khmer and international press, officials of the Government, members of the National Assembly and human rights organizations. The Centre for Human Rights has prepared suggested amendments to the draft law, with comments, in consultation with the officials of the Government. The Centre for Human Rights will also hold further meetings with other interested persons and provide assistance to the Members of the National Assembly, at their request, in amending the draft law.

14. Law on the establishment of the Supreme Council of Magistracy. A revised version of the Government's earlier draft has been submitted to the National Assembly and is under consideration. The draft submitted earlier this year was returned by the National Assembly due to its incompatibility with the Constitution, with the advice that an appropriate draft law be prepared in consultation with the concerned members of the National Assembly. The current draft does not appear to have conformed to that advice and is essentially the same as the earlier draft, and thus if adopted would be constitutionally invalid. Several meetings have been held with members of the National Assembly and officials of the Ministry of Justice on the issues of constitutionality and the need to lay the foundations for ensuring the independence of the judiciary. In addition to the assistance given during the early part of 1994, at the request of several members of the National Assembly, particularly from the Commission on Protection of Human Rights and Reception of Complaints, the Centre for Human Rights has prepared detailed comments on the draft law with suggested amendments. It is expected that the draft law will be amended accordingly, adopted and the constitutional impediments removed. Consultations with Cambodian non-governmental organizations will be arranged with a view to coordinating their responses to the constitutional issues involved in this draft law.

15. Law on advocates and bar associations. The Centre for Human Rights has received a draft law on advocates and the establishment of a bar association, which is pending before the National Assembly. Several non-governmental organizations have requested the Office to arrange consultations on the draft law. Such consultations are being organized and comments and suggestions are being offered at the request of interested officials and other persons on the human rights implications of the draft. The comments by the Centre for Human Rights will be shared with the relevant ministries and the National Assembly at their request.

16. Prison rules. Several meetings have been held with concerned officials at the Ministry of Interior, including officials in charge of prisons and legislation, on the rules and regulations governing prisons. At present there are no detailed rules relating to the administration and management of prisons and the rights of prisoners. It has been agreed that a set of prison rules drafted earlier by officials at the Ministry of Interior should be revised to conform to Cambodia's international human rights obligations and to address the actual problems facing prisons and prisoners in Cambodia. The Centre for Human Rights was requested to provide assistance in the preparation of these draft prison rules. An outline has been prepared by the Office and is under discussion with the concerned officials. The draft rules may be implemented by the adoption of a law following a decision on the matter by the Co-Ministers of Interior. Consultations with concerned persons and human rights organizations have been planned as follow-up measures.

17. Women's code. The Centre for Human Rights continues to assist the Secretariat of State for Women's Affairs in the preparation of the women's code. Weekly meetings with an inter-ministerial committee specially set up for this purpose have been held regularly. Several non-governmental organizations have also attended. The Centre for Human Rights has prepared very detailed and substantial revisions of the code, a first draft of which had been prepared by a UNIFEM consultant at the beginning of 1994. The code is based on international human rights instruments, including conventions of the International Labour Organisation, as well as Cambodian laws and practice. Due to the increasingly crowded legislative agenda, the committee has been divided into several subcommittees, at the suggestion of the Centre for Human Rights. The review is nearing completion and the draft is expected to be submitted to the Council of Ministers at the beginning of 1995.

18. Law on the abolition of trafficking in children and prostitution. Cambodia is a party to the Convention on the Rights of the Child, the provisions of which have been given constitutional status under article 48 of the Constitution. Trafficking in and sale of children and the exploitation by prostitution of children have been on the increase in Cambodia, according to non-governmental organizations and other concerned persons with whom several meetings have been held by the Centre for Human Rights. The NGOs requested the Centre's assistance in preparing detailed suggestions for provisions criminalizing the sexual exploitation and abuse of children and the trafficking, abduction and sale of children. Under the existing Penal Code, there are no provisions allowing prosecutions to be launched for such offences. Therefore, the Centre for Human Rights has prepared suggestions to be included in a draft law on the abolition of trafficking in children and child prostitution. The suggestions have been shared with all concerned NGOs and with UNICEF, which has reviewed them and given its opinion. Following discussions, the revised suggestions would be presented by the NGOs to the concerned ministry or to interested members of the National Assembly who are concerned with the drafting of the new Penal Code.

19. Law on associations. The Commission on the Protection of Human Rights and Reception of Complaints has requested the Centre for Human Rights to prepare suggestions for a draft law on the rights and obligations of associations, including non-governmental organizations. The need to have a law on this subject arises from the lack of any legislation on the

registration, validity, rights and obligations of associations. The existing rules include a decision by the Supreme National Council (SNC) during the transitional period and several recent orders by the Ministry of Interior which have given rise to abuse of power by lower-level officials, a confusion about the rights and obligations of associations and an atmosphere of fear among NGOs. The Centre for Human Rights will prepare suggestions on this matter and initiate discussions with NGOs. After the Commission has discussed the suggestions and agreed upon a draft, the text may be presented to the National Assembly next year.

20. Other laws. In addition, the Centre for Human Rights has received several draft laws currently before the National Assembly and it has been requested to provide assistance in reviewing the texts, including a draft labour law and a draft statute of judges. The Centre for Human Rights has also been provided with advance copies of the draft code of civil procedure, a draft law on the declaration of assets, and a draft law on the establishment of an anti-corruption board. Due to limited time and resources, these drafts can be considered only at a later stage.

21. Conformity of the laws with international conventions. On 14 November, an official audience was given to the Director of the Cambodia Office of the Centre for Human Rights by the First Vice-President of the National Assembly. The Director explained the mandate given to the Centre for Human Rights in Cambodia by the General Assembly and the Commission on Human Rights with the support of the Government of Cambodia. He recalled that 15 international conventions in the field of human rights and humanitarian law had been ratified by Cambodia and should, in accordance with the Constitution and the international obligations of Cambodia and in particular pending the establishment of a constitutional council, be taken into consideration in the drafting of new laws. He officially offered the technical assistance of the Centre for Human Rights with the drafting of legislation to promote and protect human rights and the training in this respect of members of the National Assembly. In the discussion, reference was also made to allegations according to which some members of the Assembly had been threatened by their political party leaders to be expelled from the party, and thus to automatically lose their seats in the Assembly, if they did not follow the order of the party leaders; such action would be contrary to the freedom of expression enjoyed by every Cambodian citizen under article 41 of the Constitution.

2. Assistance in the development and strengthening of national institutions

22. Advice and assistance by the Centre for Human Rights is being provided to the Commission for the Protection of Human Rights and Reception of Complaints on its day-to-day functioning. In order to increase the capacity of the Commission to monitor the human rights situation in the country, funding has been provided under the Trust Fund to a non-governmental organization which will assist the Commission in investigating human rights violations. Funding has also been provided to another NGO for parliamentary support including educational and information activities. In a meeting with the Director of the Cambodia Office of the Centre, on 14 December, the Chairman and the Deputy Chairperson mentioned that the Commission needed financial assistance for a

secretariat that could deal with the complaints that the Commission received. The Director of the Cambodia Office underlined that the United Nations Commission on Human Rights, in paragraph 8 (b) of its resolution 1994/61, adopted on 4 March 1994, taking note of a recommendation made by the Special Representative, had identified as a priority area financial assistance for a proper secretariat, equipment and training of the National Assembly Commission for the Protection of Human Rights and Reception of Complaints. The Director explained that the funds received in the Trust Fund in 1994 did not yet permit the Centre to assist the Commission financially but that he had called paragraph 8 (b) of resolution 1994/61 to the attention of several donor Governments and agencies, at meetings held in Geneva, New York and Phnom Penh, and suggested that they assist the Commission in that respect, either through the Trust Fund or directly.

3. Administration of justice

23. The Centre for Human Rights has carried out a number of activities aimed at assisting Cambodia in establishing a system for the administration of justice consistent with international human rights norms.

24. A judicial training workshop was held at the Ministry of Justice from 17 to 19 August 1994; 35 trainee judges attended. Topics included human rights, criminal law and judicial independence. The Centre for Human Rights participated in the training of judges and trainee judges at the Ministry of Justice in September 1994. On 12 and 13 October, a seminar on the prosecution of military personnel was held; representatives from the Ministries of Defence and Justice, and military and civilian court members attended.

25. The Centre for Human Rights conducted a prison training course at T5 prison in Kompong Cham province from 18 to 21 July 1994 as the final phase of the Prison Assistance Programme (PAP). The PAP is a 12-month programme of research and training in Cambodian prisons. A comprehensive report on prison conditions will be produced by the Centre for Human Rights as a precursor to a major seminar on prison reform to be conducted in January 1995.

4. Treaty reporting and international obligations: training of government officials

26. Specific assistance is being provided by the Centre for Human Rights to the Government in the preparation of reports on the implementation of the United Nations Conventions in the field of human rights ratified by Cambodia which have to be submitted to the relevant treaty bodies. This specific assistance is being provided to the Inter-Ministerial Committee on Reporting which was established with the assistance of the Centre for Human Rights. The Committee had submitted to the Centre for Human Rights a project proposal for financial support with a request to consider this matter as a priority. The Centre has approved the proposal.

27. The Inter-Ministerial Committee on Reporting has decided to begin drafting reports under the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child. The Committee has established two subcommittees for this purpose.

28. On 7 September 1994, an information seminar for the members of the Subcommittee on Civil and Political Rights and of the Subcommittee on the Rights of the Child was organized by the Centre. The objectives of this seminar were to inform the members of the subcommittees about their role in the reporting process and to give some directions to help them start working. A briefing on the reporting process and materials were provided by the Centre and by UNICEF.

29. On 12 September 1994, the Minister of Justice, as Chairman of the Inter-Ministerial Committee, issued a letter requesting the members of the subcommittees to start working on the reports. The subcommittees now meet regularly at the Ministry of Foreign Affairs.

30. The members of the Subcommittee on Civil and Political Rights have begun gathering information and documentation. At the beginning of December 1994, they had drafted comments on 20 articles of the International Covenant on Civil and Political Rights. They have not yet received materials, equipment or funds necessary for their work. The Centre for Human Rights is providing them with daily advisory assistance, as well as with documents and relevant information, and will soon be able to provide the Subcommittee with financial support. Particular attention has been devoted to advising the members of the Subcommittee on article 4 (non-derogable rights and states of emergency) and 6 (right to life).

31. UNICEF, in collaboration with the Centre for Human Rights, is assisting the Subcommittee on the Rights of the Child. At the beginning of December 1994, the Subcommittee has begun drafting the first five parts of the report. UNICEF has provided the Subcommittee on the Rights of the Child with the regular advisory assistance of a consultant, as well as with some funding for secretarial, material and other expenses.

32. Non-governmental organizations have also been able to cooperate with the members of the subcommittees. A non-governmental Committee for the Rights of the Child has been created to cooperate with the Subcommittee in the reporting process. Human rights NGOs have been briefed on Cambodia's reporting obligations and on the work of the Inter-Ministerial Committee on Reporting. They have already started to cooperate with the members of the Subcommittee on Civil and Political Rights by providing them with their comments on articles 6 and 7 of the Covenant. Members of this Subcommittee met with human rights NGOs at the Centre for Human Rights and discussed with them their needs and difficulties.

33. It was expected that the first drafts of the reports under the International Covenant on Civil and Political Rights (ratified on 26 May 1992; initial report due on 25 August 1993) and the Convention on the Rights of the Child (ratified on 15 October 1992; initial report due on 13 November 1994) would be completed in December 1994. A final version should be available at the beginning of 1995. After submission of these reports to the relevant committees work will begin on the four other reports to be submitted by Cambodia under the International Covenant on Economic, Social and Cultural Rights (ratified on 26 May 1992; initial report due on 30 June 1994), the International Convention on the Elimination of All Forms of Racial Discrimination (ratified on 28 November 1983; initial report due on

28 December 1984; periodic reports due on 28 December 1986, 1988, 1990, 1992), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (ratified on 15 October 1992; initial report due on 13 November 1993) and the Convention on the Elimination of All Forms of Discrimination against Women (ratified on 15 October 1992; initial report due on 14 November 1993).

5. Curriculum development and education for human rights, and training of teachers and curriculum developers

34. A representative of the Centre for Human Rights gave lectures on the rights of the child and women's rights to school directors on 13 and 14 July 1994. A workshop was held at the Faculty of Law from 29 August to 2 September 1994 for students being trained to become lawyers. Workshops on international human rights conventions were conducted for law school teachers during the months of October and November 1994. Lectures on the definition of human rights, international human rights standards and the Cambodian Constitution and the recognition of human rights were held for law students of the Law Faculty of the University of Phnom Penh on 26 October, 16 and 30 November. On 14 December another lecture was to be held on the international protection of human rights. Further lectures at the Law Faculty are being scheduled for 1995.

35. Seminars and Workshops were conducted for a number of organizations and institutions. Workshops were conducted for Khmer and ethnic Vietnamese school parents on rights to equality and education and minority rights in Kandal province in October and November 1994. A seminar on international human rights law was conducted for the Royal School of Administration from 8 to 12 August 1994. Those attending this seminar were civil servants from different ministries. The Office also lectured on the Constitution of Cambodia to members of different ministries at the Cambodian Institute for Human Rights on six occasions. A lecture on press law and freedom of expression was delivered at the Ministry of Information in a seminar organized by the Khmer Women's Voice Centre (KWVC) in October 1994.

36. Education and training activities are undergoing continuous development. The following is a list of human rights topics where a curriculum has been recently established: human rights and criminal law; United Nations human rights mechanisms; the role of human rights non-governmental organizations; documenting and reporting on human rights violations; the rights of the child; and the prosecution of military personnel.

37. Additional or follow-up projects are being developed in the following areas: seminar on the process of prosecuting of military personnel; seminar on minority rights; NGO training on monitoring and investigation; press relations workshop for non-governmental organizations; upgrading the UNTAC Level "C" teaching curriculum; and a seminar for the Royal School of Administration.

38. At the invitation of the Ministry of Interior the Centre for Human Rights is preparing a draft model teaching programme for use by NGOs undertaking human rights training programmes with police. This should improve the delivery and consistency of such courses.

6. Support to non-governmental organizations and civil society

39. There are more than 30 local NGOs in Cambodia that engage in human rights work. All of these have been formed since late 1991. Several of these groups are mass membership groups with thousands of members and with offices in the provinces. Most are small, under-funded and dependent upon volunteer workers. These NGOs do not limit their work to civil and political rights but combine this with a concern for economic, social and cultural rights. Thus some of these organizations are involved in small-scale development projects in addition to training, advocacy and monitoring.

40. The Centre for Human Rights has focused its assistance primarily on providing educational programmes, advice and consultative services to these groups. Lectures have been presented on several occasions for members of different NGOs including on the Constitution of Cambodia. The Centre for Human Rights lectured on the United Nations mechanisms in promoting human rights to the staff of ADHOC, a large human rights NGO, on 25 July 1994. At the Khmer Institute for Democracy (KID), the Centre for Human Rights reviewed the Constitution with the Vietnamese Association on 18 August 1994. Also at KID, the Centre for Human Rights gave a lecture on human rights and democracy to the Rural Development and Democracy Association on 15 September 1994. On 17 and 18 October, staff of the Office spoke at a seminar organized by the Khmer Women's Voice Centre on the subjects of international conventions protecting freedom of the press, United Nations conventions relating to the status of women and the draft press law. Much of the work in these areas is informal, depending upon small group meetings often discussing day-to-day concerns and issues. In addition to weekly meetings on Fridays where NGOs share their concerns, they report on cases of human rights violations and try to find ways to cooperate with each other. The following meetings have been particularly noteworthy:

(a) Meetings with the Special Representative during his third mission to Cambodia (16-29 July);

(b) General briefing by human rights NGOs and specialized NGOs (women, elderly, Khmer Kampuchea Krom and religious groups) with both the Special Representative and the High Commissioner for Human Rights on 24 July 1994;

(c) Briefing on the draft press law and on the state of freedom of expression in Cambodia was given to the Special Representative by NGOs on 18 November 1994;

(d) Regular meetings with the Vietnamese Association have begun, as human rights against ethnic Vietnamese have continued;

(e) Meetings on the creation of a mechanism to deal with human rights violations: NGOs (VIGILANCE, KNG, ASKKK, ADHOC, LICADHO, INDRADEVI) agreed on the establishment of an "Action Committee" to address urgent human rights abuses. The Committee meets whenever it receives information about serious violations and also on a regular basis twice a month at the offices of these organizations in rotation. The Action Committee is already very active and is carrying out several investigations into alleged human rights violations. The Khmer Institute for Democracy (KID) joined the Committee on 13 September 1994;

(f) Meetings with NGOs working in the field of legal representation: discussions were initiated on fees and professional ethics because of the perceived problems arising in this area and the consequent damage it might be doing to the human rights movement; the interested NGOs agreed not to take fees in criminal matters until a set of rules and ethical standards were adopted; a statement regarding this matter has been forwarded to the Ministry of Justice for further distribution throughout the judicial system; the concerned NGOs are now drafting rules of ethics for defenders;

(g) There have been a series of meetings with NGOs and UNICEF dealing with issues affecting children, especially trafficking and prostitution; suggestions for a draft law on child prostitution and trafficking are now being discussed among concerned organizations and a text will be presented to several members of the National Assembly and the Ministry of Justice for consideration;

(h) Cambodian human rights NGOs also met with international human rights NGOs (Japan Civil Liberty Union and Amnesty International) at the Cambodia Office of the Centre for Human Rights to both brief these groups on the Cambodian human rights situation and share information.

41. Non-governmental organizations discussed and issued statements of concern regarding, in particular, the Law Outlawing the "Democratic Kampuchea" Group (DK Law), the secret prisons, the killing of a journalist, the hostage crisis and the draft press law. Non-governmental organizations, especially those that comprise the Action Committee, received warnings from the Government after the Committee issued a press statement on the killing of Nuon Chan, editor of Voice of the Khmer Youth newspaper. The Centre for Human Rights has advised and held meetings with the NGOs in relation to these matters.

42. There is increasing concern over some recent instructions issued by the Ministry of Interior relating to freedom of association. Non-governmental organizations reported that in some provinces they have had to seek authorization to provide human rights training and to report on their activities. In several areas they have been instructed to reveal membership details and other sensitive information to local authorities. The Office held several meetings with NGOs on this issue in order to get more precise information about the Ministry of Interior's instructions and their interpretation by the local authorities in the provinces. NGOs felt confused and are concerned that these instructions could serve as a pretext to shut them down. The Special Representative has recommended to the Government to withdraw these directives. This issue is being closely followed up by the Centre for Human Rights. On 16 November, a meeting was held with the head of the Department of Organizations and his immediate superior at the Ministry of Interior to ascertain their present position with regard to the directives issued. These officials seemed unaware of the directives or the impact they were having. Their position seemed to be that they require the registration of NGOs but, at the moment, they were not enforcing this. The Centre for Human Rights agreed to provide them with a position paper on the matter and offered its assistance, at their request, for the drafting of a law on associations.

43. The Centre for Human Rights has regularly attended meetings of the Action Committee, the Cambodian Coordination Human Rights Committee and the Human Rights Task Force. The Office also receives regular reports from NGOs. The Centre provides direct financial support to both Cambodian and international NGOs working in the country. The Centre has financed 13 projects in various areas, including human rights education, training, production of information materials, and protection of minorities. Fourteen additional projects have been selected and grants are currently being disbursed.

7. Information and documentation

44. The production, translation and distribution of information materials on human rights is an important aspect of the work of the Centre for Human Rights. From July through November 1994, the Centre has distributed United Nations human rights materials in Khmer, French and English to many NGOs and institutions. These materials have included: the Universal Declaration of Human Rights; the International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the Convention on the Elimination of All Forms of Discrimination Against Women; the Convention on the Rights of the Child; the International Convention on the Elimination of All Forms of Racial Discrimination; reports of the Centre for Human Rights and the Special Representative; etc.

45. Recipients of these materials have included, among others, nine Khmer human rights NGOs; four international NGOs; the Ministries of Interior, Defence and Justice; the Royal School of Administration; the Secretariat for Women's Affairs, the Khmer Women's Voice Centre; the Law Faculty of Phnom Penh University; prison officials; school parents and teachers.

46. The Centre for Human Rights continues to operate a small resource library and a video viewing room on the premises of the Cambodia Office, which are in frequent use.

47. A monthly newsletter of the Cambodia Office of the Centre for Human Rights, containing information on the activities of the Office, is under development.

48. At the request of the Department of Legislation, a set of human rights documents has been given to facilitate better acquaintance with human rights law while the drafting of subsidiary and other legislation is carried out.

8. Other activities

49. The Centre for Human Rights continues to monitor the proceedings of the Phnom Penh Municipal Court and visit the prisons in Phnom Penh. The Centre for Human Rights also continues to monitor the implementation of legislation with a view to assisting the Government, according to its mandate. The Centre for Human Rights also conducted an assessment of the legal status of the ethnic Vietnamese near the Tonle Sap lake in Kompong Chhnang province. Several meetings have been held with the officials of the Departments of Legislation and Scientific Investigation of the Ministry of Interior for the purpose of designing training and other assistance programmes through the UNDP and other donors.

50. Several meetings were held with bilateral and multilateral agencies including donors such as SIDA (Sweden), USAID (United States), CIDA (Canada), AIDAB (Australia), the World Bank, Asia Foundation, Canada Fund and members of the diplomatic corps. These meetings had as their purpose the coordination of funding and other activities in the area of assistance to national institutions, including legal structures and capacity building. The World Bank representatives have expressed interest in projects involving land issues, the judiciary and legal documentation. CIDA and AIDAB have expressed interest in projects involving land issues as well as several small projects involving capacity building in forensics, police training and institutional assistance. The Asia Foundation has expressed interest in coordinating with the Cambodia Office its project on the establishment of a legal research and documentation centre at the National Assembly. The Canada Fund has expressed particular interest in a number of training initiatives.

51. The Centre for Human Rights has been working closely with UNDP in drafting the project document for UNDP subsector "Governance, Democracy and Human Rights". The first draft has been prepared and is under discussion. It is expected that human rights projects to the total amount of approximately US$ 2 million will be funded by the UNDP in this way. The Centre for Human Rights has also helped prepare a project of the United Nations Volunteers for assistance in the training of local NGOs.

52. The Centre for Human Rights has enjoyed close cooperation with the Australian Embassy in Phnom Penh, which has provided direct financial assistance, and with the International Committee of the Red Cross to work towards the rehabilitation of prisons in the Phnom Penh area. It is expected that this collaboration will continue and be expanded to include prisons across the country. The Centre for Human Rights has completed a survey of Cambodian prisons and will be issuing a report, with recommendations for reform, in the near future.

II. FOURTH VISIT OF THE SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL FOR HUMAN RIGHTS IN CAMBODIA

(16-18 November 1994)

53. The Centre for Human Rights provides continuing assistance to the Special Representative, Mr. Michael Kirby. From 16 to 18 November 1994, the Special Representative made his fourth visit to Cambodia on his way to New York to present to the General Assembly his recommendations to the Government of Cambodia (A/49/635). The purpose of the visit was to take stock of the most recent developments concerning the human rights situation in the country since July 1994. The visit also provided him with an opportunity to discuss several issues of concern with the Royal Government and invite its views and comments in relation to the Secretary-General's report to be submitted to the General Assembly (for the programme of the visit, see annex).

54. During this visit, the Special Representative was granted an audience with the First Prime Minister. He also met with the newly appointed Minister of Foreign Affairs and International Cooperation, the Minister of Justice, the Minister of Information and the Co-Interior Minister.

55. With the First Prime Minister, the Special Representative discussed the general human rights situation and commended the Government for its efforts towards the restoration of a rule of law and better administration of justice, in the face of continued warfare with the Khmer Rouge and political instability. He noted the progress realized in the conditions of persons subjected to any form of detention or imprisonment. He expressed concern at the recent restrictions put on freedom of expression. In particular, the draft press law was discussed and concern was expressed regarding the sections of the law providing for criminal sanctions, including imprisonment. The First Prime Minister reiterated his respect of human rights and freedom of expression, but stressed that insult was not acceptable according to Cambodian customs, and that it was worse than defamation. He explained that a strong law was needed to protect journalists from threats to their life because of abuse of freedom of expression. In this regard the First Prime Minister stressed the need for a concerted educational effort to improve the professional skills and ethics of Cambodian journalists. He also drew the Special Representative's attention to the serious risks of food shortage in the course of 1995 due to a succession of dramatic floods and drought in several parts of the country.

56. The visit provided an opportunity for the Minister of Foreign Affairs and International Cooperation to comment in detail and discuss with the Special Representative his recommendations on the human rights situation in Cambodia and an opportunity to comment on the Special Representative's recommendations.

57. With the Minister of Justice, the Special Representative discussed the progress in the work of the two inter-ministerial subcommittees, placed under the supervision of the Minister, in charge of preparing the first reports of Cambodia under the International Covenant on Civil and Political Rights (the work of the relevant subcommittee is assisted permanently by a member of the staff of the Centre for Human Rights) and the Convention on the Rights of the Child (the work of the relevant subcommittee is assisted permanently by a consultant of UNICEF and, when possible, by a member of the staff of the Centre for Human Rights); the need for financial support to the subcommittees' permanent secretariat; the draft law on the Supreme Council of Magistracy; the draft law on the statute of lawyers and the usefulness for judges to continue to benefit from the services provided to plaintiffs by the human rights organizations through their "human rights defenders"; the role of the Ministry with regard to the military court and the control on the implementation of prison legislation by the officials of the Ministry of Interior.

58. Issues discussed with the Government focused on the new version of the draft press law soon to be adopted by the National Assembly and the increasing number of instances of pressure, intimidation, threats and acts of violence against journalists, newspapers and human rights organizations. Cases discussed included, among others: the assassination of Mr. Noun Chan, the editor of Samlaeng Yuveachoun Khmaer (Voice of the Khmer People); threats made to two Cambodian human rights organizations which had expressed concern about and called for a prompt and public investigation into the murder of editor Noun Chan; the administrative closure of the newspaper Uddom Kete Khmaer; the suppression of the Khmer Institute of Democracy's television programme, "The Public's Opinion", which was to feature the recently dismissed Minister of Finance and Economy.

59. The Special Representative also discussed the long-standing issue of the illegal activities carried out by military personnel in Battambang province and elsewhere. The question of the protection of the Centre for Human Rights staff within the context of the continuation of its work in Cambodia was raised with the Royal Government. Discussion of this issue with the Government followed the abduction and gunshot injury inflicted on Monica Oliveros, the five-year-old daughter of one of the officers of the Cambodia Office of the Centre for Human Rights.

60. He had a working session on the new version of the draft press law with Cambodian journalists, human rights organizations, foreign press and legal experts. The Special Representative also met the editor of the newspaper Uddom Kete Khmaer (Khmer Ideal) who had written to him following the administrative closure of his newspaper. He also visited Phnom Penh's PJ (Police Judiciaire) prison to observe and commend the notable improvements in the condition of detention of the detainees due to a generous contribution by the Government of Australia.

61. In order to effectively carry out its mandate and to assist the Special Representative, the Centre for Human Rights closely follows human rights developments in the country, both directly and through its contacts with NGOs. For example, in following the development of the draft press law and attacks or threats to journalists, close contacts are being maintained with the Khmer Journalists Association (KJA) and several Khmer newspapers.

62. At the time of preparing this report, the Centre for Human Rights is following the case of the assassination of another journalist of the newspaper Koh Santapheap (Island of Peace). Chan Dara was gunned down on 8 December in the province of Kompong Cham, apparently because of series of articles he wrote in this and another newspaper.

63. In order to prepare the fifth visit of the Special Representative in January 1995, which will emphasize the right to health and in particular the question of HIV/AIDS, the Centre for Human Rights has enjoyed very close cooperation with the representation in Cambodia of the World Health Organization.

64. This visit provided an opportunity to update the Special Representative's recommendations to the General Assembly when orally introducing the report.

III. REMARKS

65. The activities described above are the result of the efforts deployed by the Centre for Human Rights, despite the many administrative and financial problems which have characterized the operation of its Cambodia Office since its beginning. These problems have hampered, up to the time of the preparation of the present report, the full realization of the programme of activities of the Centre and the potential impact of the Centre's activities in Cambodia.

66. A principal cause of these problems has been the insufficiency (both in terms of resources allocated and time) of budgets approved by the General Assembly, at the recommendation of the Advisory Committee on

Administrative and Budgetary Questions (ACABQ). In each case, the funds allocated and/or the duration of time of approved budgets have been grossly inadequate.

67. In order to meet the request of the Commission on Human Rights that an operational presence of the Centre for Human Rights be established after the expiry of the mandate of UNTAC and in order to ensure a smooth transition from UNTAC to the Centre for Human Rights, with no disruption in the implementation of human rights activities in Cambodia, it was necessary for the Centre to establish its office at Phnom Penh on 1 October 1993, immediately after the departure of UNTAC at the end of September 1993.

68. The mandate of the Centre for Human Rights in Cambodia was a new one, and no resources had been appropriated for its implementation in the biennium 1992-1993. Furthermore, the Centre was not in a position to meet the financial requirements entailed by this new mandate within its existing financial resources. Therefore, pending the approval by the General Assembly at the end of 1993 of the United Nations regular budget for the biennium 1994-1995, the Centre requested the ACABQ in August 1993 to authorize the expenditure of the resources necessary for the implementation in 1993 of the Centre's mandate in Cambodia. The budget necessary to implement the mandate entrusted to the Centre for Human Rights by Commission resolution 1993/6 was estimated by the Centre at $661,750 for five months. This would cover the salaries of the local and international staff, general expenses for the operation of the Cambodia Office and travel of the Special Representative.

69. In September 1993, the ACABQ authorized the Centre to incur expenditure only up to $288,000 for the period October to December 1993. This represented a deficit vis-à-vis estimated requirements of over $36,000 per month.

70. In November 1993, the Centre submitted, through the Office of Programme Planning, Budget and Finance, for approval by the General Assembly at its forty-eighth session, a budget for the entire biennium 1994-1995 in the amount of $2,781,000. However, in December 1993, the ACABQ authorized, pending the submission of a report on the continued human rights presence in Cambodia, a budget covering only the first six months of 1994 in the amount of US$ 550,000.

71. In May 1994, the Centre submitted to the General Assembly a report on the "Continued United Nations human rights presence in Cambodia" (A/C.5/48/78). In that report, the Centre requested a budget of $2,384,100 for the period 1994-1995, that is $1,834,100 in addition to the $550,000 approved by the ACABQ in December 1993.

72. In June 1994, the ACABQ recommended to the General Assembly that only an amount of $1,500,000, inclusive of the $550,000 already approved, be approved for the financing of human rights activities in Cambodia. In other words, the ACABQ recommended a budget corresponding to less than 54 per cent of the budget estimated by the Centre for Human Rights to be necessary for the operation of the Cambodia Office. Nevertheless, on 15 July 1994, the

General Assembly authorized the Secretary-General to enter into additional commitments of up to $1,834,100 for the biennium 1994-1995 for the financing of human rights activities in Cambodia, thus approving the entire budget requested by the Centre.

73. The approval, until July 1994, of successive limited operational budgets prevented the smooth operation of the Cambodia Office, effectively rendering long-term planning impossible. As a result, it was neither possible to provide international staff with contracts of a length corresponding to that of the mandate of the Centre in Cambodia, nor to provide local staff with proper conditions of employment. The approval in July 1994 of a longer term and more sufficiently resourced budget for the operation of the Cambodia Office should facilitate the solution of most of the above-mentioned problems. Additionally, administrative and financial procedures more suitable to the management of a field office have been established in cooperation with the relevant Secretariat services. These will need to be continually monitored and evaluated to continue to improve the administration of the Cambodia Office. The Director of the Cambodia Office was formally appointed in August 1994. These developments will contribute to the overcoming of management difficulties.

74. The intentional shooting of the young child of the Administrative Officer of the Cambodia Office on 8 September 1994 has caused a temporary vacancy in this post due to the incumbent's decision to leave Cambodia. The Chief of the Legal Assistance Unit resigned at the end of October 1994 and his post also remains to be filled. The same applies to the post of an internationally recruited part-time secretary and a part-time administrative assistant in charge of the local personnel contracts and administrative questions.

Annex

PROGRAMME OF THE VISIT OF THE SPECIAL REPRESENTATIVE
FOR HUMAN RIGHTS IN CAMBODIA, 16-18 NOVEMBER 1994

Wednesday, 16 November 1994

12.15 Arrival at Pochentong (Phnom Penh) Airport

13.00 Lunch with the staff of the Cambodia Office

15.00 Audience with Minister of Justice, H.E. Chem Snguon

Venue: Ministry of Justice

17.00 Audience with First Prime Minister, Prince Norodom Ranariddh

Venue: First Prime Minister's residence

19:30 Dinner with Information Minister, H.E. Ieng Mouly

Thursday, 17 November 1994

8.00 Working group on the draft press law with
Legal Advisor to the National Assembly Human Rights Commission,
Press/Media Adviser to the Royal Government, UNESCO, ADHOC, LICADHO,
Task Force, Vigilance, Amnesty International, KID

Venue: Office of the Centre for Human Rights

10.00 Audience with Minister of Foreign Affairs, H.E. Ung Huot

Venue: Ministry of Foreign Affairs

Lunch Offered by the Ministry of Foreign Affairs, in presence of the Minister of Foreign Affairs, the Secretary-General of the Ministry of Foreign Affairs, the Ambassador of Australia to Cambodia, the Minister of Justice and the Minister of Information

14.00 Briefing by the staff of the Cambodian Office of the Centre for Human Rights

Friday, 18 November 1994

7.00 Visit of PJ prison in Phnom Penh with Australian Ambassador and in presence of the press

13.15 Departure for New York from Pochentong Airport

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Fifty-first session
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ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Situation of human rights in Cambodia

Report of the Special Representative of the Secretary-General for human rights in Cambodia, Mr. Michael Kirby, submitted pursuant to Commission resolution 1994/61

Addendum

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Introduction

1. The present document contains the recommendations of the Special Representative following his fifth mission to Cambodia from 19 to 27 January 1995. The first part of his report (E/CN.4/1995/87) contains the recommendations formulated following the fourth visit (16-18 November 1994). Concerning the period from March to October 1994, the Commission also has before it document A/49/635. In a further addendum, the Special Representative will submit to the Commission a list of letters sent to the Government of Cambodia containing recommendations concerning specific cases.

2. The Special Representative wishes to express his sincere appreciation to the Government of Cambodia for the full cooperation extended to him during his mission. As in the past, every door which the Special Representative asked to be opened, whether in prisons, courts or hospitals, was opened to him.

3. The Special Representative records the signal honour that he was accorded in having been granted an audience with his Majesty Preah Bat Samdech Preah Norodom Sihanouk Varman, King of Cambodia, on 27 January 1995. His Majesty's position as the constitutional protector of rights and freedoms and guarantor of international treaties ratified by Cambodia and his repeated statements of commitment to the defence of the human rights of all Cambodians have lent sustained support to the work of the Special Representative and of the Centre for Human Rights, which is most gratefully acknowledged by them both.

RECOMMENDATIONS OF THE SPECIAL REPRESENTATIVE FOLLOWING THE FIFTH MISSION

A. Right to health

4. Once again the Special Representative calls attention to the need to upgrade the infrastructure of the health services of Cambodia. The approved health budget for 1995 has been decreased by 10 per cent from that of last year. On a per capita basis, this is one of the lowest rates of official health expenditure in the world. The Special Representative urges the Government to increase expenditure on health care, both in absolute and in per capita terms.

5. The highest priority should be given to providing information and protection to the Cambodian people in respect of the spread of HIV/AIDS. In addition to the measures referred to in earlier reports, the Special Representative recommends:

(a) That the highest Cambodian authorities declare the issue of HIV/AIDS to be a national cause requiring urgent and effective action by the Government;

(b) That it be suggested to His Majesty the King that he lends his support to the work of the national and regional AIDS committees in their vital work of public education and assistance in combating the spread of HIV/AIDS;

(c) That the First Prime Minister consider accepting the chairmanship of the Inter-Ministerial Committee on AIDS as a sign of its importance;

(d) That a multisectoral approach to the issue of HIV/AIDS, as recommended by WHO and other concerned agencies, be considered, promoted, developed and strengthened so as actively to involve and mobilize all sectors of Government and society; in particular, the work and role of the Inter-Ministerial Committee must be enhanced and strengthened, in particular through the establishment of an HIV/AIDS task force or control committee in all the Ministries directly concerned;

(e) That the Cambodian strategy to combat the spread of HIV/AIDS be based upon improved empirical data and that the collection of relevant data be constantly monitored - in particular in relation to HIV tests of military personnel and of the blood supply, in cooperation with the National Blood Transfusion Centre of the Ministry of Health. The monitoring of a control group of Cambodians for HIV status should be introduced without delay;

(f) That consideration be given to the establishment of free testing for HIV and venereal diseases in special clinics established in all provinces in conjunction with major hospitals. At present, there is only one such facility, in Phnom Penh. Such facilities should offer confidentiality of results and counselling for persons testing positive;

(g) That particular attention be given to HIV/AIDS education for: military and police personnel, sex workers, young people, and other persons belonging to groups at risk;

(h) That the decision to close brothels be reversed, on the grounds that this measure will only have the effect of driving prostitution underground and out of the reach of the health care authorities;

(i) That television, radio and the print media, videos and other means of communication be utilized to disseminate information concerning HIV/AIDS, its modes of transmission, its devastating consequences, the suffering caused and means of prevention, including by the use of condoms and avoidance of unsterile injections;

(j) That consideration be given to the legal regulation of the use of needles for injections by pharmacists, herbalists and practitioners of non-formal medicine. Advice on the dangers of the use of unsterile equipment should be distributed without delay to such practitioners and the general public by the Ministry of Health;

(k) That hospital personnel and private medical practitioners be alerted by the Ministry of Health concerning the particular dangers for the spread of HIV/AIDS of use of unsterile needles; in particular, information on HIV/AIDS should be included in the training of all health workers;

(l) That the Ministry of Health explore the provision by international donors of free or subsidized condoms to reduce the risk of the spread of HIV/AIDS, in particular amongst target groups most at risk;

(m) That particular attention be given to AIDS information and assistance in conjunction with the health care of Cambodian women. AIDS education should be integrated into other programmes of concern to the human rights of women and children; in particular, simple and clear information about HIV/AIDS should be included in the curriculum of secondary schools. In conjunction with human rights NGOs and women's organizations, attention should be paid to the empowerment of women in protecting themselves from exposure to HIV and in educating their children about HIV/AIDS. Particular attention should be paid to the education of the wives of military and police personnel. The Special Representative welcomes the offer of cooperation by the Co-Ministers of Defence, which should be followed up by the Centre for Human Rights;

(n) That the effective censorship on government television of accurate media advertisements calling attention to AIDS, its causes and means of prevention should cease. It is vital that such information be made available in the Khmer language and that Cambodians should not have to rely upon international media for such information so vital to life and health. Posters, comic books and leaflets on AIDS in Khmer and minority languages should be displayed or available in public places and government offices and addressed to particularly vulnerable target groups;

(o) That the Government give special attention to the sale by parents of their children into prostitution and the growing numbers of street children in Phnom Penh. The legal age of consent to sexual intercourse should be strictly enforced.

6. The donor community should mobilize adequate funding and technical assistance as soon as possible to assist the Government once it has demonstrated its full and effective support and commitment to fighting the epidemic at the highest governmental level.

7. The Government should ensure that information is readily available to Cambodian women concerning birth spacing and the means, where desired, of limiting family size and avoiding repeated or unwanted pregnancies. This information should be provided in particular to women in rural districts where more than 80 per cent of the Cambodian population live. It should take into account the high proportion of women in the present Cambodian population. It should utilize modern means of communication and be prepared in consultation with Cambodian human rights, non-governmental and women's groups.

8. The Special Representative calls attention to the upgrading of the facilities of the Monivong Hospital, particularly its infrastructure. Attention should be given to the effective use of that hospital for the treatment of prisoners and for forensic tests by the Ministry of Interior. Donors are encouraged to contribute to its rehabilitation and thereby strengthen the links between different areas of human rights.

B. Cultural rights

9. The Special Representative welcomes with great appreciation the important work of UNESCO in relation to the protection and preservation of the Angkor temples and monuments complex which he visited during his fifth mission. He commends the activities of the technical experts working on the restoration of the Angkor site provided by the Ecole française d'Extrême-Orient and the Japanese Government Team for Safeguarding Angkor. He welcomes the intended participation of experts from other countries under the auspices of the International Coordinating Committee.

10. The continued theft and export of items of the cultural heritage of Cambodia remain a matter of concern. The Special Representative again recommends the adoption of appropriate measures of policing to preserve and protect the cultural treasures of Cambodia. He welcomes the reports of the recent reduction of instances of cultural theft and the successful prosecution and conviction of several cases where the perpetrators have been apprehended. Extensive publicity should be given by the Government to such cases as a warning to others.

C. Right to education

11. The Special Representative noted once again the positive approach expressed by Government, the military, the police, judicial officers and others concerning

education for human rights. However, there are a number of additional recommendations which he wishes to make to the Government and to the Centre for Human Rights.

12. The Centre should continue to develop means for communicating human rights principles in simpler and concrete terms in the Khmer language for use in schools, for the military and police and in the general community. The Centre's activities aiming at improving the training skills of Cambodian non-governmental organizations, with a view to encouraging targeted and effective training, including police training, should also continue. The use by Cambodian non-governmental organizations such as the Cambodian Human Rights and Development Association (ADHOC), the Cambodian Institute for Human Rights, the Human Rights Task Force of Cambodia and the Ligue cambodgienne pour la promotion et la défense des droits de l'homme (LICADHO) of cartoons and comics for education of schoolchildren in human rights concepts should be further developed. Whenever possible, such activities should be conducted in cooperation with the Ministry of Education as is, for example, the work conducted on the development of human rights education curricula by the Cambodian Institute for Human Rights and teachers at all school levels. The Centre for Human Rights should continue to encourage such activities and see that they include education on the human rights protected under the Constitution, the conventions ratified by Cambodia and the law. The translation of international instruments into the Khmer language is to be welcomed and further developed. Cooperation should be developed in this field with UNESCO, UNICEF, UNHCR, ILO and WHO.

13. A feature of rural life in Cambodia is the high level of penetration of Khmer language radio and video recorders. The preparation of simplified video cassettes, including dramas with human rights themes, should be explored, in consultation with Cambodian human rights non-governmental organizations and others, as an effective means of illustrating the principles of national and international human rights law. Particular attention should be paid to the principles expressed in the Cambodian Constitution and in those international human rights conventions which Cambodia has ratified.

14. Amongst matters of particular importance for education in respect for human rights which continue to require the close attention of the Government and the Centre are education concerning:

(a) Respect for the democratic features of the Constitution and in that connection for the roles of His Majesty the King, as the ultimate guardian of human rights, of the Council of Ministers, of the members of the National Assembly and of the independent judiciary;

(b) Respect for the rights of ethnic and other minorities;

(c) Respect for the vulnerable environment of Cambodia and particularly the relevance of protecting the environment from the current dual problems of flooding and drought caused or aggravated by deforestation and other interference in the environment; and

(d) Respect for honesty in public life.

D. Right to work

15. The Special Representative welcomes the job-creation programmes in well-targeted schemes of UNDP, WFP and ILO. In particular, he commends the work of WFP, the Cambodian Red Cross and the non-governmental organization Concern in providing emergency support to internally displaced persons such as those visited by the Special Representative during his fifth mission in the Puok district of Siem Reap and in the province of Kompong Speu. The Food for Work programme and other admirable activities of WFP and other agencies are welcome, although the Special Representative recommends that Food for Work should be implemented with appropriate attention to the special difficulties faced by the aged, the handicapped, pregnant women and mothers of young children. The avoidance of a hand-out mentality and the promotion of self-respect and useful public service should continue to be important objectives of this form of international emergency assistance.

16. The Special Representative calls attention to the particular emergency caused by the succession of flooding and drought in 1994/95 which reduced significantly the production of rice in Cambodia and requiring substantial importation of rice to prevent starvation of a large segment of the population. Aggravated by the security situation and the sudden increase in the number of internally displaced persons in late 1994 (since substantially reduced), this predicament called for urgent measures by the Cambodian Government and the Cambodian Red Cross and for international assistance, most notably by WFP. The Special Representative commends WFP for its rapid response to the emergency. He welcomes the opening of the European Union Technical Coordination Office and the interest shown by the EU in technical assistance in the field of human rights, including the right to education, the right to health, assistance to refugees and Cambodian human rights non-governmental organizations.

17. The Special Representative calls attention to the short-term relief provided by WFP and others (see sect. E below) and to the need for long-term strategies to combat the man-made causes of the problems which have exacerbated the serious fall of rice production in Cambodia, previously a major exporter of rice. In providing long-term relief attention should be given to:

(a) The provision of higher yield seed, fertilizer and insecticides;

(b) The supply of appropriate pumps and well-digging equipment;

(c) The revival of overgrown, disused canals and the digging of new canals, dams and wells;

(d) A rational and reasonable exploitation of forest reserves;

(e) The introduction of a major national programme of protected reforestation.

18. The Special Representative commends the priorities advanced by FAO in its Cambodian activities.

E. Right to a healthy environment and right to sustainable development

19. The recommendations for a national environmental protection plan and for an immediate halt to illegal logging, referred to in the report to the General Assembly (see A/49/635), take on an added urgency by reason of the environmental catastrophes of 1994/95. According to advice received by the Special Representative, the flooding in late 1994, which destroyed a large part of the 1994 rice crop, may be traced in part to deforestation and the removal of natural protection against the loss of run-off water and alluvial soil. The ensuing drought has compounded the water supply problems. The major river system of Cambodia and the main lakes are now at record low levels in many places. A concerted national strategy to prevent deforestation and to conserve the natural environment will contribute to reversing the present perilous trend. The Special Representative recommends that urgent attention be given by the Government of Cambodia and the National Assembly to the steps necessary to protect the environment and to police strictly future logging in Cambodia.

20. The Centre should give consideration to the holding in Cambodia of a seminar on the rights to a healthy environment and to sustainable development. Appropriate experts of international standing should be invited to participate in such a seminar in order to call attention to the fragility of the Cambodian environment and the dangers to it of replenished logging. Such a seminar should include the participation of representatives of the Government, the military, the private sector, human rights NGOs and community groups as well as relevant United Nations agencies. Widespread publicity should be given in the Cambodian media to the findings of the seminar. Videos explaining the peril to the Cambodian environment should be produced and widely distributed throughout Cambodia for official and community education. The seminar should include attention to the revitalization of Cambodia's neglected and deteriorated irrigation system and the replenishment of its internal waterways and lakes. The Special Representative recommends urgent attention to these initiatives on the basis that emergency hand-outs are unlikely to continue indefinitely. They must be replaced by measures which address the basic causes of the problem and initiatives with long-term effects.

F. New laws and practices

21. The Special Representative repeats his call for the enactment of the new laws referred to in his last report, noting that an immigration law (but not a law on nationality and refugees) has been enacted and a draft press law introduced in the National Assembly. He refers below (see sect. K) to certain perceived defects of the Immigration Law. He welcomes reported moves to modify the draft press law, still before the National Assembly at the time of this report. The Special Representative favours the deletion from the draft press law of criminal sanctions in cases of defamation.

22. The Special Representative commends the National Assembly for its serious consideration of the draft laws for the establishment of an anti-corruption board and for the declaration of assets and interests by members of the National Assembly, Ministers and senior public officials. These proposals for laws, made by some members of the National Assembly, have not, so far, secured government support or legislative passage. The need for effective means to combat corruption in Cambodia is essential. Corruption has accompanied the rapid opening up of the country, the influx of foreign personnel and capital, the growth of the economy and endemic low salaries paid to public officials (and most private employees). Unless urgent means are taken to curb official corruption, in particular, it will seriously undermine public confidence in the institutions of Cambodia. In several jurisdictions, watchdog bodies against official corruption have been established, similar to the Independent Commission against Corruption in Hong Kong. The Special Representative believes that the establishment of the proposed anti-corruption board, modelled along similar lines and with similar powers, and composed of persons of the highest integrity, would assist the Government in sustaining the rule of law and public faith in the institutions of society. The Special Representative points out that the absence of such confidence will provide a breeding ground for political disaffection.

G. Independence of the judiciary and the rule of law

23. The Special Representative again calls attention to his concern, noted in his previous reports, for the independence of the judiciary, which has been reinforced by his consultations during his fifth mission. Amongst the most urgent needs are:

(a) The provision of adequate salaries and allowances to judicial officers. Payment of 50,000 riels per month (about US$ 20) is totally inadequate to ensure independence and exposes judicial officers to temptations incompatible with their judicial function;

(b) The provision of basic requirements - including legal texts, paper, photocopiers and funds for investigations;

(c) An appropriate measure of budgetary independence on the part of the judiciary;

(d) Training, including regular seminars and workshops on human rights, providing for the exchange of experience between judicial officers;

(e) Respect for the separation of powers. Judicial consultations with the Ministry of Justice concerning up-to-date laws and legal principles should be replaced forthwith by consultations with an experienced, independent judicial officer or body having no connection with the Government. However, the responsibility for decisions in cases must remain exclusively with the judge hearing the case and must never be delegated or surrendered to any other person;

(f) Introduction of a system of judicial mentors and advisers;

(g) Assigning of public defenders to all provinces to assist, inter alia, in the conduct of serious criminal trials;

(h) Conduct of prison visits by judicial officers (in addition to visits to prisons by prosecutors); and

(i) Provision of enhanced independence of the judicial police and military police in the proper execution of their duties according to law, and provision of improved regional infrastructure for the military courts and military prosecutors, given the high incidence of cases of abuse of power by military personnel reported to the Special Representative during his fifth mission by members of the ordinary courts. In Siem Reap province, for instance, it is officially estimated that 60 to 70 per cent of abuses can be attributed to military personnel. Consideration should also be given to the enactment of legislation permitting military police, prosecutors and tribunals to support the activities of civilian authorities in cases involving both military personnel and civilians.

24. The Special Representative recommends that a high-level interdepartmental committee be established, composed of representatives of the Ministries of Defence, the Interior and Justice, to investigate and report on judicial complaints concerning refusal or failure of military, police or other officials to execute court warrants directed at military police or political figures or members of their families. Nobody should be above the law. The Special Representative continues to receive complaints from the judiciary concerning abuse of authority and the difficulty, in practice, of bringing those responsible (except in the most grave offences) before the courts for punishment. Such an interdepartmental committee should also investigate threats to judicial officers and, where appropriate, initiate proceedings, according to law, for them to be investigated and the perpetrators punished.

25. The Centre for Human Rights should redouble its efforts, in cooperation with international donors and local and international human rights NGOs, to respond to the urgent needs of the Cambodian judiciary set out above and in earlier reports of the Special Representative. The attention of the Special Rapporteur on the independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers should be drawn to this subject. The Centre should avail itself of every opportunity to explain publicly the reasons for, and justifications of, the independence of the judiciary.

26. In this connection, the Special Representative notes with appreciation that a law on the establishment of the Supreme Council of Magistracy has been adopted by the National Assembly. However, he is concerned that, despite attempts by individual members of the National Assembly, the law does not provide for sufficient guarantees for the independence of the judiciary; in particular, the law does not contain provisions that would ensure impartial appointment of judges, grounds for disciplinary actions against judges, the types of disciplinary actions that may be taken and the procedure for removal of judges.

Given the existing problems in the realization of separation of powers and independence of the judiciary, as noted above, the Special Representative recommends that the necessary safeguards for the independence of the judiciary be secured in the law, including by amendments, in cooperation where necessary with the Centre for Human Rights.

H. Prisons and other custodial institutions

27. The Special Representative welcomes the initiatives of the Centre in its support, guidance and assistance to the officials of the Government responsible for the conduct of prisons. He commends the generally open and increasingly enlightened and humane administration in several of Cambodia's prisons, necessarily within severe financial restraints. In particular, the Special Representative commends the initiatives taken within the Siem Reap prison:

(a) To introduce training for prisoners in literacy and other skills useful to post-prison life;

(b) To introduce sporting facilities and routines, including badminton facilities;

(c) To introduce regular video films (apparently by the use of equipment privately owned by a prison officer);

(d) To improve prison diet and to delegate cooking of prison meals to prisoners.

28. Such initiatives would be suitable for extension to other prisons. In particular, videos present a popular means for education including in such matters as prisoners' rights, court procedures and HIV/AIDS. The Centre should continue to explore these possibilities.

29. The Special Representative welcomes the move by the Ministry of Interior to draft prison regulations, including in cooperation with the Centre for Human Rights. The Special Representative recommends that the Government consult with the Centre to ensure that the regulations, when finally promulgated, fully conform to applicable human rights standards and are implemented.

30. Substantial progress is being made in the improvement of several prisons. The Special Representative wishes to congratulate the Government in this regard. He also commends the Centre for its ongoing work of advice and assistance, which should continue. He has high regard for the regular medical assistance provided by LICADHO and Médecins du monde in several prisons in Phnom Penh. He notes with appreciation the comprehensive report on prison conditions in Cambodia prepared by the Centre for Human Rights and the successful seminar for prison officials organized in Phnom Penh by the Centre in cooperation with the Ministries of Justice, the Interior and Health, which he addressed during his fifth mission. This seminar also benefited from the valuable contributions made by two

international experts, Mr. Andrew Coyle, Governor of Brixton prison in London and Dr. Gabriel Otterman of Physicians for Human Rights (United States of America).

31. The Centre should continue to monitor attention by the Government to the recommendations contained in earlier reports concerning prison improvement.

I. Freedom of expression and the draft press law

32. The Special Representative expresses concern about a number of developments relevant to the freedom of expression in Cambodia, as guaranteed by the Constitution and provided for in article 19 of the International Covenant on Civil and Political Rights to which Cambodia is a party:

(a) The most serious is the succession of attacks upon editors and journalists. Within less than eight months, three journalists were killed (one such case was possibly accidental);

(b) The closure or suspension of newspapers by order of the Government; and

(c) The inclusion in the draft press law, presented by the Government to the National Assembly, of broad provisions for criminal sanctions in cases of civil defamation and threats to national security or national institutions.

33. The Special Representative welcomes:

(a) The support expressed by His Majesty the King for the concerns expressed to the Government by the General Assembly, the Special Representative and the Centre for Human Rights, and the reported moves within the National Assembly to address those concerns;

(b) The continued high level of media freedom in Cambodia enhanced by the large number of local and international journals on sale and the extremely vigorous and often critical role they play in political commentary; and

(c) The initiatives towards an enhanced attention to journalists' ethics. The Special Representative gave the inaugural speech to the Round Table on Journalistic Ethics and Defamation, co-organized by UNESCO and the Centre for Human Rights in Phnom Penh, which was attended by a wide cross-section of local media. He welcomes the initiative of this Round Table to improve the standards of journalism in Cambodia and to encourage a greater appreciation of the fact that with the larger freedom now enjoyed by Cambodian journalists goes the responsibility for accurate reporting and for content which avoids defamation, respects privacy and dignity and avoids grossly offensive departures from generally accepted cultural and linguistic values. The Special Representative respectfully welcomes most particularly the continuous support voiced by His Majesty the King of Cambodia for a high measure of freedom of expression in Cambodia as a necessary element in a society committed to political and economic progress.

J. Right to be elected and to take part in government

34. The Special Representative expresses concern at the widely reported threats to members of the National Assembly who have expressed, both within and outside the Assembly, opinions differing from those of the Government. The right of the members of the Assembly to express their conscientiously held opinions must be vigilantly upheld and energetically safeguarded by the Government and all persons under its control. Threats or even reported threats to the persons of members of the Assembly are incompatible with the democratic nature of the Constitution. Any suggestions of such threats must be vigorously followed up by the Government. Such threats represent a direct challenge to the whole Assembly itself. In an appropriate case, the Assembly would be empowered and even obliged (separately from the Government) to take vigorous steps to defend the privileges and immunities of its members. This would be so even were its members, or a majority thereof, to disagree with the views expressed by the members who were the subject of the threats. The Special Representative recommends that the Government take immediate steps to track down the sources of threats or reported threats to members of the Assembly, and to initiate according to law the prosecution of those responsible so that they may be brought to justice for such a grave attack upon the Constitution. The Special Representative further recommends that the Assembly should itself consider initiating an investigation of its own into the reported attack on its privileges. Unless threats to members of the Assembly are resolutely and promptly dealt with, the inhibitions thereby created may strike a most serious blow to democracy in Cambodia.

35. The Special Representative, having received formal complaints of threats to lives of members of the Assembly, without prejudging the substance of such complaints, is duty bound to treat them seriously and to respond immediately. He must respond in a way that makes it clear that any such threat, if proved, is a most grave attack on the human rights not only of its subject but also of the whole body politic of Cambodia. The Special Representative, in addition to bringing his concerns in this regard to the notice of the Government, therefore, both orally during his fifth mission and in writing, has taken the following initiatives:

(a) He has brought the reported threats to the notice of the Special Rapporteur on extrajudicial, summary or arbitrary executions whose mandate includes conduct of this kind;

(b) He has called the reported threats to the notice of the Special Rapporteur on the right to freedom of opinion and expression as being relevant to a most significant attack upon the freedom of expression of a person whose privilege in that respect is universally protected by the law of Parliaments; and

(c) He has called the reported threats to the notice of the Inter-Parliamentary Union with a suggestion that it should consider, in consultation with the National Assembly, a mission to Cambodia to assist in the promotion of an understanding of the essential character of the freedom of elected members of the Assembly to express their conscientious opinions

without inhibition and free from threat of any kind, particularly to their personal safety.

K. Vulnerable groups, including women, children and minorities

36. To the recommendations concerning vulnerable groups contained in his earlier reports, the Special Representative adds the recommendations set out above, concerning the special vulnerability of women and children, with respect to information and other measures relevant to HIV/AIDS and birth spacing.

37. The Special Representative welcomes the press communiqué issued in Hanoi on 17 January 1995 following the meeting between the representatives of the Governments of Cambodia and Viet Nam concerning their determination to address immigration policy and practice in a way consistent with national legislation and international law and practices. The Special Representative also welcomes the visit to Chrey Thom on 20 January 1995, the day of his own second visit, of the Co-Ministers of the Interior of the Government of Cambodia.

38. The Special Representative notes that during his visit to Chrey Thom, family papers maintained in local government offices dating from the State of Cambodia were matched with five families who have been living at Chrey Thom for nearly two years since they took refuge there after fleeing their traditional places of residence under United Nations protection. In many cases, the family papers provide sufficient evidence that the families have been living for long periods of time in Cambodia, often for more than a generation. The Special Representative recommends that the Cambodian authorities, in close cooperation with UNHCR and the Centre for Human Rights and with the support of WFP, should, with the assistance of Cambodian human rights NGOs, make and maintain a register of families of Vietnamese origin at Chrey Thom. The Centre should also cooperate to obtain relevant documents for presentation to the Government to help establish that the families at Chrey Thom, or as many of them as can establish the fact, are (as they claim) persons with long-term residence in Cambodia, sometimes extending over several generations. In the event of the loss or confiscation of papers, the Special Representative urges that evidence be obtained from neighbours, friends or witnesses to substantiate claims of long-term residence. The Special Representative expresses the hope that earlier suggestions concerning a regular and consistent resolution of the situation of Chrey Thom, in a manner compatible with the Constitution, international conventions ratified by Cambodia and national law and as called for in the Hanoi press communiqué, will be found without further delay. The present predicament of the families, as observed by the Special Representative, involves serious restrictions of the enjoyment of human rights: the Chrey Thom community constitutes a de facto floating refugee camp with limited liberty of movement, access to work and income-generating activities, adequate food, water, medical attention and education of children, despite the commendable regular assistance provided by WFP, UNHCR, the Cambodian Red Cross, Médecins du monde and LICADHO. This situation should be resolved immediately.

39. The Special Representative welcomes the initiative announced by the Government on 30 January 1995 to establish a screening procedure aimed at determining the eligibility of the displaced persons of Vietnamese origin in Chrey Thom to return to their communes of traditional residence, under the provisions of the Immigration Law. He recommends that the Centre for Human Rights and UNHCR continue to cooperate with the Government and provide the necessary assistance as appropriate in the fair determination of the status of these persons. The Special Representative will continue to monitor progress in this regard.

L. Reporting obligations under international conventions

40. The Special Representative attaches the highest importance to the compliance by Cambodia with its reporting obligations under the international conventions to which Cambodia is a party. The Special Representative welcomes the progress being made in this regard. He expresses the hope that the reports will be promptly completed. He recommends that the Centre for Human Rights, with the assistance of the United Nations Volunteers, and UNICEF continue to offer any assistance that may be helpful to the Government of Cambodia to this end.

M. Security issues

41. The Special Representative received extensive briefings on the security situation in Cambodia which continues to inhibit the rapid rebuilding of a society adhering to the rule of law, respecting fully human rights and enjoying the benefits of economic growth.

42. A particularly worrying development in the period under review has been the attack on Western tourists visiting Cambodia for its natural attractions and cultural treasures. The Special Representative has expressed to the Government the grave concern which is felt and the hope that the perpetrators of such crimes can be tracked down and brought to justice. The Special Representative recommends that there should be no impunity for persons convicted for such crimes, which inflict great suffering on the victims and their families, represent a callous attack on unarmed tourists and greatly damage Cambodia's international reputation and economic reconstruction. The attention of the Special Rapporteurs of the Sub-Commission on impunity should be drawn to this subject.

43. The Special Representative notes the continuing efforts to clear land in Cambodia of anti-personnel and anti-tank mines. He again commends the work of all those involved in such activities, including the Cambodian Mine Action Centre, Compagnie française d'assistance specialisée, the Halo Trust and the Mines Advisory Group. He commends the Government of Cambodia for its support of such activities and foreign donors for their practical assistance. He recommends that all those involved in mine clearance in Cambodia consult with military authorities in countries having a friendly relationship with Cambodia concerning technological developments which may speed the process of clearing land, vitally needed for farming, of mines. The Special Representative was informed that

clearance of little more than one square kilometre could take up to six months. Given the extensive laying of land-mines in Cambodia, including of fresh mines, the danger of water-borne mines floating during the rainy season into land previously "cleared" and the constant flow of casualties, the current state of clearance calls out for more radical solutions. What ingenious and gruesome technology has provided, a new technology should be devised to relieve in countries such as Cambodia, Afghanistan and Angola. The Special Representative recommends that the Secretary-General, in conjunction with other initiatives he is taking in respect of the revision of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects (1990) and the elaboration of a draft amended protocol on prohibitions or restrictions on the use of mines, booby-traps and other devices (Protocol II), should give consideration to a high-level meeting of technical experts to advise on new technological means that could be devised greatly to accelerate the clearance of mines in Cambodia and other countries where they continue to cause such frightful suffering, insecurity and economic deprivation.

44. The Special Representative commends to the Government and National Assembly the proposed law to ban unilaterally the importation and use of mines by all agencies of the Government.

45. The Special Representative notes the report to him of the disappearance of large numbers of commune and village chiefs, teachers and other personnel who have been captured in the Siem Reap and other north-western provinces, apparently by units of the National Army of Democratic Kampuchea ("Khmer Rouge"). The suffering of the families concerned was emphasized to the Special Representative at the highest level during his fifth mission. The Special Representative would welcome any initiative taken by the ICRC to intervene in order to establish the whereabouts and secure the release of the persons concerned. He requests the Centre to consider the ways in which a comprehensive list of such persons could be established and maintained, in cooperation with the Cambodian authorities. Such a list should be provided to the ICRC for investigation and humanitarian relief so far as that is possible. He requests the Secretary-General to consider ways in which appropriate contact might be made with the Party of Democratic Kampuchea (the political party of the "Khmer Rouge") or its representatives to request, in the name of humanity, that the whereabouts and fate of the disappeared personnel be investigated and reported to the international community and for the relief of relatives concerned.

N. Ongoing technical support and assistance

46. The Special Representative once again commends the Centre and its officers, including the UNVs, for their dedicated work in the period under review. He again pays tribute to the vital work of the Cambodian human rights non-governmental organizations.

47. The Special Representative notes the delays in the provision of financial and other support to the Cambodia office of the Centre for Human Rights as

reported by the Centre in its report to the General Assembly (A/49/635/Add.1, paras. 8, 60, 63-71). He urges that active and creative steps be taken within the administration of the United Nations Office at Geneva to meet the difficulties there outlined which are so discouraging to the effective work of the Centre.

Annex

PROGRAMME OF THE FIFTH MISSION OF THE SPECIAL REPRESENTATIVE

(19-29 January 1995)

Thursday, 19 January

Meeting with Mr. Benny Widyono, Representative of the Secretary-General in Cambodia

Meeting with the staff of the Cambodia office of the Centre for Human Rights, including on the right to housing

Inauguration of the European Union Technical Coordination Office in Cambodia

Friday, 20 January: mission to Chrey Thom

Visit to Chrey Thom (Vietnamese border) with MPs, the Chairman of the National Assembly Commission for the Protection of Human Rights and Reception of Complaints, representatives of UNHCR, WFP, ICRC, Médecins du monde, LICADHO, ADHOC and members of the press

Saturday, 21 January: mission to Siem Reap

Meeting with representatives of United Nations agencies, international and local aid and human rights NGOs; briefing on IDPs, right to food, right to health, right to security

Meeting with staff members of UNESCO, Ecole française d'Extrême-Orient and Japanese Government Team for Safeguarding Angkor at the Angkor complex archaeological site

Sunday, 22 January: mission to Siem Reap (continued)

Visit to the provincial prison

Visit of IDPs in Puok district

Meeting with Mr. Tun Chay, Governor of Siem Reap province, and the Vice-Governors

Monday, 23 January: mission to Siem Reap (continued)

Meeting with Mr. Phlong Chhlam, President of the Tribunal

Meeting with Mr. Tun Chay and the Deputy Commander of the Fourth Military Region

Briefing on de-mining in Siem Reap by Halo Trust

Meeting with Mr. Sam Rainsy, MP for Siem Reap

Meeting with Ms. Saumura Thioulong and two other Cambodian personalities on women and AIDS

Tuesday, 24 January: right to health

Visit to Monivong Hospital

Meeting with the Interministerial Committee for HIV/AIDS Prevention and Control

Meeting with Cambodian Women's Development Association and Khmer Student Association

Meeting with sex workers and medical workers in Tuol Kork community clinic

Meeting on health and AIDS at WHO office with WHO staff and other United Nations AIDS officers

Meeting with Minister of Health

Wednesday, 25 January: right to food

Meeting with Mr. Hun Sen, Second Prime Minister

Meeting organized by the National Assembly with MPs from provinces affected by food shortages, and WFP and FAO

Lunch with Mr. Kem Sokha, Chairman of the National Assembly Commission on Human Rights, and Mr. Son Chhay, MP for Siem Reap

Visit to affected villagers in Kompong Speu province

Meeting with ambassadors

Reception at the Cambodia office of the Centre for Human Rights for the Special Representative to meet with diplomats, United Nations agencies' representatives, Directors of Cambodian human rights NGOs, and publishers and editors of local newspapers

Thursday, 26 January: military reform and justice - meetings with the Government - meeting with NGOs

Meeting with General Sao Sok, Military Prosecutor

Meeting with Mr. Tea Banh and Mr. Tea Chamrath, Co-Ministers of Defence

Meeting with Mr. Om Radsady, Chairman of the National Assembly Commission on Information and Foreign Affairs, and several members of the Commission as well as members of the National Assembly Commission for the Protection of Human Rights and Reception of Complaints

Joint meeting at the Ministry of Foreign Affairs with the Inter-Ministerial reporting subcommittees on the International Covenant on Civil and Political Rights and on the Convention on the Right of the Child, with Mr. Chem Snguon, Minister of Justice, Mr. Uch Kim An, Secretary of State for Foreign Affairs, Mr. Bjorn Ljungqvist, representative of UNICEF, and Mr Daniel Prémont, Director of the Cambodia office of the Centre for Human Rights

Speech at the seminar on the state of Cambodian prisons (22-27 January) organized by the Centre for Human Rights in cooperation with the Ministries of Justice, the Interior and Health, with the participation of Mr. Andrew Coyle, Governor of Brixton Prison (United Kingdom) and Dr. Gabriel Otterman, Physicians for Human Rights (United States of America)

Meeting with Mr. Ney Thol, President of the Military Tribunal, and court officials

Meeting with Cambodian human rights NGOs

Meeting with the Khmer Journalists' Association

Friday, 27 January: freedom of information - audience with the King

Meeting with Mr. Anthony Kevin, Ambassador of Australia, and Mr. Martin Collacott, Ambassador of Canada

Inaugural speech at the joint UNESCO-Centre for Human Rights Round Table on Journalistic Ethics and Defamation

Audience with His Majesty the King, Preah Bat Samdech Preah Norodom Sianouk Varman

Press conference at Phnom Penh Airport